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Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL EXHIBITS TO
DECLARATION OF MATTHEW
BERRY IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
WAYMO'S MOTION TO
SUPPLEMENT TRIAL WITNESS
LIST**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal exhibits attached to the Declaration of Matthew Berry in Support of Defendants’ Uber Technologies, Inc. and Ottomotto LLC’s Opposition to Waymo’s Motion for Leave to Supplement its Trial Witness List (“Opposition”). Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal	Designating Party
Opposition	Highlighted Portions	Plaintiff (Green) Defendants (Blue)
Exhibit 5	Entire Document	Plaintiff
Exhibit 6	Highlighted Portions	Plaintiff (Green)

The blue-highlighted portions of the Opposition contain highly confidential information relating to financial reserves of Uber. This information has been maintained as confidential. Disclosure of this information will allow Uber’s competitors to understand its financial resources and business strategy, such that competitors can obtain an unfair advantage in tailoring their own business strategy and Uber’s competitive position would be significantly harmed. (Declaration of Michelle Yang in Support of Administrative Motion to File Under Seal ¶ 3.)

The green-highlighted portions of the Opposition and Exhibit 6 and the entirety of Exhibit 5 contain information that has been designated “Highly Confidential – Attorneys’ Eyes Only” or “Confidential” by Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). The highlighted portions of the Opposition and Exhibit 6, and the entirety of Exhibit 5 have been designated as “Highly Confidential – Attorneys’ Eyes Only.” Defendants file this material under seal in accordance with Paragraph 14.4 of the Protective Order. (*Id.* ¶ 4.)

Defendants’ request to seal is narrowly tailored to the portions of the exhibits and that merit sealing. (*Id.* ¶ 5.)

1 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the
2 documents at issue, with accompanying chamber copies.

3 Defendants served Waymo with this Administrative Motion to File Documents Under
4 Seal on December 3, 2017.

5 For the foregoing reasons, Defendants request that the Court enter the accompanying
6 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and
7 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –
8 ATTORNEYS' EYES ONLY" or "CONFIDENTIAL" as described above.

9 Dated: December 3, 2017

MORRISON & FOERSTER LLP

11 By: /s/ Arturo J. González
ARTURO J. GONZALEZ

12 Attorneys for Defendants
13 UBER TECHNOLOGIES, INC. and
14 OTTOMOTTO LLC
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